

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs

Cause No. 05-CR-1849-JH

GREG HILL,

Defendant.

**UNOPPOSED MOTION TO CONTINUE SENTENCING**

Defendant Greg Hill, by and through his attorney Billy R. Blackburn, and with the concurrence of Assistant United States Attorney James Braun and respectfully requests this Court to vacate and continue the sentencing hearing currently scheduled for January 25, 2011. As grounds in support thereof, Defendant states as follows:

1. On or about August 23, 2005, the Defendant Greg Hill was indicted and charged with conspiracy to distribute 1000 kilograms and more of marijuana, conspiracy to launder money and criminal forfeiture.

2. On or about August 25, 2005, the Defendant appeared for initial appearance before V. Sue Shields, U.S. Magistrate Judge for the Southern District of Indiana, who released Defendant pending trial. On September 1, 2005, the Defendant traveled to New Mexico and was arraigned before U.S. Magistrate Judge Richard Puglisi. Judge Puglisi adopted the conditions set by Judge V. Sue Shields. Defendant has remained out of custody without incident since his arrest in August 2005.

3. On August 13, 2010, Defendant entered a plea of guilty before U.S. Magistrate Judge Alan C. Torgerson in this matter. Judge Torgerson continued Hill's

conditions of release pending sentencing. All other co-defendants had previously entered guilty pleas in this matter.

4. Defendant traveled from his home in Bloomington, Indiana to Albuquerque, New Mexico for a presentence report interview with Probation Officer Tina Parde on September 9, 2010. The interview was lengthy and due to the complex nature of this matter, which involves 30 co-defendants, and the need to gather more documentation and information, an initial presentence report was not disclosed until January 13, 2011. The initial presentence report is approximately 50 pages in length and is extremely detailed.

5. Due to the unusual complexity and length of the presentence report in this matter, counsel submits that additional time is necessary within which to fully review its contents and prepare initial objections thereto. At the same time, pursuant to Ms. Parde's request, Defendant is working to gather all necessary financial documentation for inclusion in the presentence report. However, Defendant is an independent business owner (he operates both a pub/music venue and a holistic healing business), and so this process is lengthy and cumbersome. Defendant thus also requires additional time to gather and provide documentation to the probation office for inclusion in the presentence report. Based upon the above, counsel believes that the process of finalizing a presentence report for the Court's review prior to sentencing will take significantly longer than usual.

6. In addition to the above-mentioned issues relating to the presentence report, given the complicated nature of this case, Defendant requires additional time within which to fully prepare for sentencing and provide the Court with all information

relevant to the sentencing factors set forth in 18 U.S.C. §3553(a). Unlike many of the defendants involved in the instant case, Defendant's plea agreement is open-ended and does not include an agreed-upon sentence. Thus, it is particularly important for counsel to ensure that all sentencing factors are properly addressed. Furthermore, counsel believes that this Defendant will have significant and substantial mitigation to present, making preparation for sentencing in this matter more extensive than in other cases.

7. Based upon all of the above, Defendant requests that the sentencing scheduled for January 25, 2011, be continued and it be scheduled in a manner that provides ample time within which to complete the complex and lengthy preparations necessary in this unique case.

8. Assistant U.S. Attorney James Braun has been contacted concerning this motion and has no objection to the relief requested herein.

WHEREFORE, for the above stated reasons, the Defendant Greg Hill respectfully requests this Court to vacate and continue the sentencing hearing currently scheduled for January 25, 2010.

Respectfully submitted,  
Electronically filed 1/21/11  
BILLY R. BLACKBURN  
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I hereby certify that a true and accurate copy of the foregoing was emailed by CM/ECF to AUSA James Braun this 21st day of January, 2011.

Electronically filed 1/21/11  
Billy R. Blackburn